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**17** Total number of pages including cover sheet.

December 27, 2006  
CM# 192039-375930  
TKID: 8801

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United States Patent and Trademark Office  
Customer Window, Mail Stop Missing Parts  
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Alexandria, VA 22314  
USA

1.703.308.9140 x201 1.571.273.8300

From: Anita Nador

Telephone:

Fax:

416.601.7530

416.868.0673

In re Application of: CHAN, Anthony Kam Chuen et al.  
Serial No.: 10/567,737  
Filed: August 12, 2004  
Title: Methods for Preventing Neurological Events  
Art Unit:  
Confirmation Number: 5356

Please see the attached communication, including:

- (1) Transmittal Form PTO/SB/21
- (2) Fee Transmittal Form PTO/SB/17
- (3) Petition for Extension of Time PTO/SB/22
- (4) Copy of Notification of Missing Requirements Under 35 USC 371 in the United States Designated/Elected Office (DE/EO/US) dated June 27, 2006;
- (5) 3 Declarations with Supplemental Application Data Sheet

**Certificate of Transmission:**

Pursuant to 37 CFR 1.8, I certify that the following correspondence is being transmitted via facsimile transmission to the United States Patent and Trademark Office at facsimile number 1.571.273.8300 on December 27, 2006.

Signature: *Susan Sihota*

Date:

December 27, 2006

Name:

Susan Sihota

Legal Assistant to Anita Nador

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PTO/SB/21 (09-08)

Approved for use through 03/31/2007, OMB 0551-0031

U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

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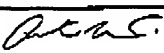
<b>TRANSMITTAL FORM</b>  <small>(to be used for all correspondence after initial filing)</small>	Application Number	10/567,737
	Filing Date	August 12, 2004
	First Named Inventor	CHAN, Anthony Kam Chuan
	Art Unit	
	Examiner Name	
Total Number of Pages in This Submission	16	Attorney Docket Number 192039-375930 (T01108-0080-US)

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ENCLOSURES (Check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form <input checked="" type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input checked="" type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement  <input type="checkbox"/> Certified Copy of Priority Document(s) <input checked="" type="checkbox"/> Reply to Missing Parts/Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): 1. Notification of Missing Requirements 2. Declarations (3) 3. Supplemental Application Data Sheet
<div style="border: 1px solid black; height: 40px; width: 100%;"></div>		

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	MCCARTHY TETRAULT LLP - CUSTOMER NO. 027155		
Signature			
Printed name	Anita Nador		
Date	December 27, 2006	Reg. No.	47366

## CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

Signature			
Typed or printed name	Susan Sihota - Legal Assistant	Date	December 27, 2006

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Appl. Serial No. : 10/567,737 Confirmation No.: 5356  
Applicant(s) : CHAN, Anthony Kam Chuen *et al.*  
I.A. Filing Date : August 12, 2004  
Title : Methods for Preventing Neurological Events  
TC./A.U. :  
Examiner :  
Docket No. : 192039-375930 (T01108-0060-US)  
Customer No. : 027155

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**COMMUNICATION REGARDING MISSING REQUIREMENTS**

Mail Stop Missing Parts  
Commissioner for Patents  
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Alexandria VA 22313-1450

Dear Sir:

This is filed in response to the Notification of Missing Requirements Under 35 U.S.C. 371 in the United States Designated/Elected Office (DO/EO/US) mailed June 27, 2006.

In response, Applicant(s) submit(s) herewith the following documents:

- ☒ Transmittal Form PTO/SB/21 (1 page);
- ☒ Fee Transmittal Form PTO/SB/17 (1 page);
- ☒ Petition for Extension of Time Under 37 CFR 1.136(a) (1 page);
- ☒ Copy of Notification of Missing Requirements Under 35 USC 371 in the United States Designated/Elected Office (DE/EO/US) (2 pages);
- ☒ Declarations (3) with Supplemental Application Data Sheet (9 pages);

Applicant provides signed copies of the Declaration, in compliance with the Notice.

The Commissioner is hereby authorized to charge Deposit Account No. 15-0633 in the name of McCarthy Tétrault LLP in the amount of \$65.00 to cover the Missing Requirements completion fee; \$955.00 to cover the additional claims fees; and \$795.00 to cover the fee for a four-month extension of time. The Commissioner is also authorized to charge any deficiency in fees which may be required, or credit any overpayment, to this account.

TDO-RED #8350292 v. 1

Should the Office require more information, please contact the undersigned.

Respectfully submitted,  
**MCCARTHY TÉTRAULT LLP**

Dated: December 27, 2006

By: 

Anita Nador  
Registration No. 47366

McCarthy Tétrault LLP  
Box 48, Suite 4700  
Toronto Dominion Bank Tower  
Toronto, Ontario  
Canada M5K 1E6  
Tel: 416-601-7852  
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Aug 27/2006



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Alexandria, Virginia 22313-1450  
www.uspto.gov

U.S. APPLICATION NUMBER NO. 10/567,737	FIRST NAMED APPLICANT Anthony Kam Chuen Chan	ATTY. DOCKET NO. T011080060US
INTERNATIONAL APPLICATION NO. PCT/CA04/01497		
LA. FILING DATE 08/12/2004		PRIORITY DATE 08/12/2003

027155  
MCCARTHY TETRAULT LLP  
BOX 48, SUITE 4700,  
66 WELLINGTON STREET WEST  
TORONTO, ON M5K 1E6  
CANADA

CONFIRMATION NO. 5356

371 FORMALITIES LETTER



\*OC000000019409916\*

Date Mailed: 06/27/2006

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Indication of Small Entity Status
- Copy of the International Application filed on 02/10/2006
- Small Entity Statement filed on 02/10/2006
- Request for Immediate Examination filed on 02/10/2006
- U.S. Basic National Fees filed on 02/10/2006
- Priority Documents filed on 02/10/2006

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Additional claim fees of \$955 as a small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.
- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.

#### SUMMARY OF FEES DUE:

Total additional fees required for this application is \$955 for a Small Entity:

- Total additional claim fee(s) for this application is \$ 955

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- \$400 for 4 independent claims over 3.
- \$375 for 15 total claims over 20.
- \$180 for multiple dependent claim surcharge.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice MUST be returned with the response.*

LAMONT M HUNTER

Telephone: (703) 308-9140 EXT 201

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/567,737	PCT/CA04/01497	T011080060US

FORM PCT/DO/EO/905 (371 Formalities Notice)

PTO/SB/17 (07-06)

Approved for use through 01/31/2007. OMB 0651-0032

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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Effective on 12/08/2004.  
Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).**FEE TRANSMITTAL**  
**For FY 2006****Complete if Known**

Application Number	10/567,737
Filing Date	August 12, 2004
First Named Inventor	CHAN, Anthony Kam Chuen
Examiner Name	
Art Unit	
Attorney Docket No.	192039-375930 (T01108-0060-US)

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DEC 7 2006☒ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$) 1815.00

**METHOD OF PAYMENT (check all that apply)**☐ Check ☐ Credit Card ☐ Money Order ☐ None ☐ Other (please identify):☒ Deposit Account Deposit Account Number: 15-0633 Deposit Account Name: McCarthy Tetrault LLP

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

☒ Charge fee(s) indicated below☐ Charge fee(s) indicated below, except for the filing fee☒ Charge any additional fee(s) or underpayments of fee(s) under 37 CFR 1.16 and 1.17☒ Credit any overpayments

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

**FEE CALCULATION****1. BASIC FILING, SEARCH, AND EXAMINATION FEES**

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid (\$)
	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	
Utility	300	150	500	250	200	100	
Design	200	100	100	50	130	65	
Plant	200	100	300	150	160	80	
Reissue	300	150	500	250	600	300	
Provisional	200	100	0	0	0	0	

**2. EXCESS CLAIM FEES**

Fee Description	Fee (\$)	Small Entity Fee (\$)
Each claim over 20 (including Reissues)	50	25
Each independent claim over 3 (including Reissues)	200	100
Multiple dependent claims	360	180
<b>Total Claims</b>	<b>Extra Claims</b>	<b>Fee (\$)</b>
35 - 20 or HP = 15	25	375.00
HP = highest number of total claims paid for, if greater than 20.		
<b>Indep. Claims</b>	<b>Extra Claims</b>	<b>Fee (\$)</b>
7 - 3 or HP = 4	100	400.00
HP = highest number of independent claims paid for, if greater than 3.		
<b>Multiple Dependent Claims</b>		
<b>Fee (\$)</b>	<b>Fee Paid (\$)</b>	
180.00	180.00	

**3. APPLICATION SIZE FEE**

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof	Fee (\$)	Fee Paid (\$)
- 100 =	/ 50 =	(round up to a whole number) x		

**4. OTHER FEE(S)**

Non-English Specification, \$130 fee (no small entity discount)

Other (e.g., late filing surcharge): 4-month extension of time fees and completion fee

860.00

**SUBMITTED BY**

Signature	Registration No. (Attorney/Agent) 47366	Telephone 416.601.7530
Name (Print/Type) Anita Nador		Date December 27, 2006

This collection of information is required by 37 CFR 1.138. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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